

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISIONS

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2011 DEC 13 PM 4:29

LISA LIBERI, et al.,) DEPUTY CLERK EBB
Plaintiffs)
vs.)
LINDA SUE BELCHER, et al,) CIVIL ACTION
Defendants)
) Case No. 2:11-cv-090
) Honorable Mary Lou Robinson

MOTION TO STRIKE

Your Honor, we ask that you strike and remove from the record, Plaintiffs Motions, Docket No. 185 and Docket No.186 based on the following grounds.

Your Honor ordered Mr. Berg to get local council on June 17, 2011. Mr. Berg was given 14 days to get local council. However, as of this date, he has not. **See Exhibit 1.**

In Your Honor's orders, he was denied the ability to proceed without local council. These dockets that have been filed in the courts by the Plaintiffs all claim to be pro se, however all of the Plaintiffs use the same address, Mr. Berg law office address, 555 Andorra Glen Court, Suite 12, Lafayette Hill, PA 19444-2531. **See Exhibit 2.**

In Docket No.186, the order that the Plaintiffs wants Your Honor to sign, reads that all relevant information must be submitted to Mr. Berg. It says nothing about sending that

information to the other Plaintiffs. On page 3, Section E. of Exhibit 3, you will see where Lisa Liberi wants the court to order the Defendant, Edgar Hale, to pay \$2500.00, "through her attorney, Phillip J. Berg Esquire". This means that Mr. Berg is still representing all of the Plaintiffs and they do not have local council as ordered by Your Honor. **See Exhibit 3.**

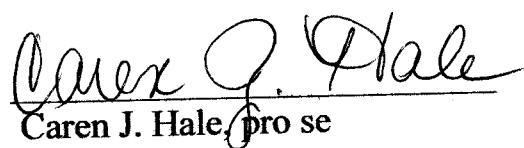
This is the way that Mr. Berg is getting around the court's order. Mr. Berg is in violation of the court order and therefore these filing by the Plaintiffs should be stricken and removed from the record.

Your Honor, are you going to allow this attorney to get away with blatant disregard of Your Honors orders? You must act immediately on this matter to keep the courts integrity in tack.

We ask that Your Honor move on this matter as quickly as possible.



Edgar S. Hale III, pro se



Caren J. Hale, pro se

CERTIFICATE OF DELIVERY SERVICE

I, Edgar Hale, hereby certify that a copy of Defendants Reply to the following Plaintiff was served this the 27th day of August, 2011 by U.S.P.S. Mail with postage fully prepaid.

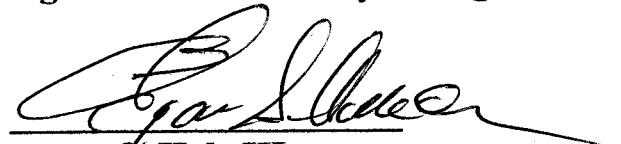
Plaintiffs served via USPS to the the following addresses:

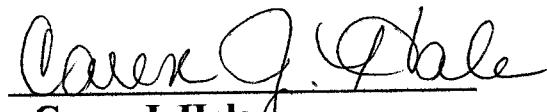
Philip J. Berg, Esquire
555 Andorra Glen Court, Suite 12
Lafayette, PA 19444-2531

Defendant served via USPS to the the following address:

Linda Sue Belcher
201 Paris Street
Castroville, TX 78009

Signed this the 27th day of August, 2011


Edgar S. Hale III


Caren J. Hale

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISIONS**

LISA LIBERI, et al.,)
Plaintiffs)
vs.) CIVIL ACTION
LINDA SUE BELCHER, et al,) Case No. 2:11-cv-090
Defendants) Honorable Mary Lou Robinson

ORDER

Before the court is a **MOTION TO STRIKE** by Defendant Edgar Hale filed August 27, 2011. Docket No. 185 and Docket 186 is stricken and removed from the record. Motion is granted

It is SO ORDERED.

Signed this the _____ day of _____, 2011

MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE

Exhibit 1

CLERK'S DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

AMARILLO DIVISION

DEPUTY CLERK 

2011 MAY 27 PM 3:18

LISA LIBERI, et al.,	§	
	§	
PLAINTIFFS,	§	
vs.	§	CIVIL ACTION CAUSE NUMBER
EDGAR HALE, CAREN HALE, PLAINS	§	2:11-CV-090-J
RADIO NETWORK, BAR H FARMS, and	§	
KPRN A.M. 1610, et al.,	§	
DEFENDANTS.	§	

ORDER TO DESIGNATE LOCAL COUNSEL

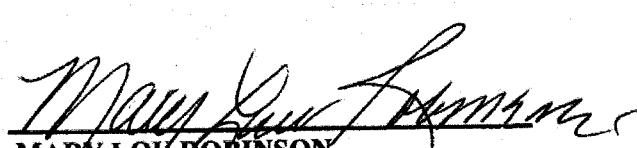
Philip J. Berg is counsel of record for all of the Plaintiffs in this case, but he is not admitted to practice before this Court and has not been admitted *pro hac vice* in this case pursuant to Local Rule 83.9. Further, counsel for Plaintiffs does not reside or maintain an office in this district as required by Local Rule 83.10(a).¹

PLAINTIFFS' COUNSEL MUST OBTAIN LOCAL COUNSEL.

Plaintiffs' counsel is to comply with Local Rule 83.9 and to obtain local counsel in compliance with Local Rule 83.10(a) & (b) within **fourteen (14) days** of the date of this Order.

It is SO ORDERED.

Signed this the 27th day of May, 2011.


MARY LOU ROBINSON

UNITED STATES DISTRICT JUDGE

¹

<http://www.txnd.uscourts.gov/rules/localrules/civilrules83.html>

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

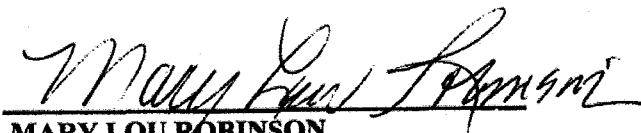
LISA LIBERI, <i>et al.</i> ,	§	CIVIL ACTION CAUSE NUMBER 2:11-CV-090-J
PLAINTIFFS,	§	
vs.	§	
EDGAR HALE, CAREN HALE, PLAINS RADIO NETWORK, BAR H FARMS, and KPRN A.M. 1610, <i>et al.</i> ,	§	
DEFENDANTS.	§	

ORDER DENYING MOTION TO PROCEED WITHOUT LOCAL COUNSEL

Before the Court is Philip J. Berg's application, filed June 10, 2011, for leave to proceed *pro hac vice* and, in addition, for leave to proceed without local counsel. That portion of Mr. Berg's motion seeking leave to proceed without designation of local counsel is denied. Plaintiffs are to obtain and designate local counsel in compliance with Local Rule 83.10(a) & (b) within **fourteen (14) days** of the date of this Order.

It is SO ORDERED.

Signed this the 17th day of June, 2011.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

AMARILLO DIVISION

DEPUTY CLERK *[Signature]*

LISA LIBERI, et al., §
§
PLAINTIFFS, §
vs. §
§
EDGAR HALE, CAREN HALE, PLAINS §
RADIO NETWORK, BAR H FARMS, and §
KPRN A.M. 1610, et al., §
§
DEFENDANTS. §

CIVIL ACTION CAUSE NUMBER

2:11-CV-090-J

ORDER TO DESIGNATE LOCAL COUNSEL

Philip J. Berg is counsel of record for all of the Plaintiffs in this case, but he is not admitted to practice before this Court and has not been admitted *pro hac vice* in this case pursuant to Local Rule 83.9. Further, counsel for Plaintiffs does not reside or maintain an office in this district as required by Local Rule 83.10(a).¹

PLAINTIFFS' COUNSEL MUST OBTAIN LOCAL COUNSEL.

Plaintiffs' counsel is to comply with Local Rule 83.9 and to obtain local counsel in compliance with Local Rule 83.10(a) & (b) within **fourteen (14) days** of the date of this Order.

It is SO ORDERED.

Signed this the 27th day of May, 2011.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE

¹ <http://www.txnd.uscourts.gov/rules/localrules/civilrules83.html>

Exhibit 2

Law Offices of:
PHILIP J. BERG, ESQUIRE
Identification No. 09867
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Ph: (610) 825-3134
Fx: (610) 834-7659
Email: philjberg@gmail.com

*Attorney in pro se and as Counsel for
the Plaintiffs upon approval of Pro
Hac Vice admission*

EVELYN ADAMS, Plaintiff
c/o **PHILIP J. BERG, ESQUIRE**
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Ph: (610) 825-3134
Fx: (610) 834-7659
Email: philjberg@gmail.com

LISA OSTELLA, and GO EXCEL GLOBAL, Plaintiffs
c/o **PHILIP J. BERG, ESQUIRE**
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Ph: (610) 825-3134
Fx: (610) 834-7659
Email: philjberg@gmail.com

LISA LIBERI, Plaintiff
c/o **PHILIP J. BERG, ESQUIRE**
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Ph: (610) 825-3134
Fx: (610) 834-7659
Email: philjberg@gmail.com

**U.S. DISTRICT COURT, NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

LISA LIBERI, et al,

Plaintiffs,

vs.

LINDA SUE BELCHER, et al,

Defendants.

CIVIL ACTION

Case No. 2:11-cv-00090-J

Honorable Mary Lou Robinson

Exhibit 3

**U.S. DISTRICT COURT, NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

LISA LIBERI, et al,	Plaintiffs,	CIVIL ACTION
	vs.	Case No. 2:11-cv-00090-J
LINDA SUE BELCHER, et al,		Honorable Mary Lou Robinson
	Defendants.	

PROPOSED ORDER

On _____, 2011, Plaintiffs Motion for a Protective Order came on for Hearing. The Court having reviewed and considered the moving papers, any Opposition thereto, the records on file with this Court, and for **GOOD CAUSE SHOWN, IT IS HEREBY**

ORDERED and DECREED:

- A. Plaintiffs Motion is **GRANTED**. No Defendants are to issue or seek the issuance of a Subpoena for any information on the Plaintiffs without Leave of Court for good cause shown;
- B. Defendant Edgar Hale and the other Defendants are **ORDERED** to supply this Court, under seal, with copies to Philip J. Berg, Esquire on behalf of Plaintiffs, a full accounting including but not limited to:
 - i. A list of all the Subpoenas they have issued in this case;

- ii. A list of all data requested and who the information requested pertained to within fourteen [14] days of this Order;
- iii. Defendant Edgar Hale and the other Defendants are **ORDERED** to furnish this Court with **copies to Mr. Berg** on behalf of the Plaintiffs specification of all information that they obtained in response to the Subpoenas within fourteen [14] days of this Order;
- iv. Defendant Edgar Hale and the other Defendants are **ORDERED** to supply this Court with a **copy to Mr. Berg** on behalf of Plaintiffs, a list of anyone Plaintiffs information was provided to, including any third parties within fourteen [14] days of this Order; and
- v. Defendant Edgar Hale and the other Defendants are **ORDERED** to supply this Court with a **copy to Mr. Berg** on behalf of Plaintiffs a list of any outstanding Subpoenas.

C. Defendant Edgar Hale and the other Defendants are hereby **ORDERED** to immediately withdraw any and all outstanding Subpoenas, proof of which must be filed with this Court with **copies to Mr. Berg** on behalf of the Plaintiffs, within fourteen [14] days of this Order;

D. It is **FURTHER ORDERED** Defendant Edgar Hale and all Defendants, their subsidiaries, affiliates, officers, agents, servants, employees, licensees and all other persons acting or attempting to act in active concert or participation with them or acting on their behalf are **PERMANENTLY ENJOINED** from any disclosure or use of any information obtained pursuant to a Subpoena in this action;

- E. Defendant Edgar Hale is hereby **ORDERED** to pay Plaintiff Lisa Liberi, through her attorney, Philip J. Berg, Esquire, Damages and/or Sanctions in the amount of Two Thousand Five Hundred [\$2,500.00] Dollars to prevent additional violations and invasion of Plaintiffs' privacy to be paid within fourteen [14] days of this Court's Order;
- F. Defendant Edgar Hale is hereby **ORDERED** to pay Plaintiffs' Attorney Fees in the amount of Three Thousand [\$3,000.00] Dollars payable to Philip J. Berg, Esquire within fourteen [14] days of this Court's Order; and
- G. This Court will maintain jurisdiction over this issue, for the return of the accountings in order to properly issue further sanctions and award damages to Plaintiffs for additional violations as well as Attorney Fees.

IT IS SO ORDERED

Dated: _____, 2011

Judge Mary Lou Robinson

Respectfully submitted on behalf of Plaintiffs by:

Philip J. Berg, Esquire
E-mail: philjberg@gmail.com
Pennsylvania I.D. 9867
LAW OFFICES OF PHILIP J. BERG
555 Andorra Glen Court, Suite 12

Lafayette Hill, PA 19444-2531

Telephone: (610) 825-3134